

MONDAY, APRIL 10, 2000

SEVENTIETH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend James Alford, First United Methodist Church, Ripley, Tennessee.

Representative Fitzhugh led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Hagood; family death.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Resolution No. 188:** Rep(s). Newton as prime sponsor(s).

**House Joint Resolution No. 539:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 2212:** Rep(s). Godsey as prime sponsor(s).

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 2511:** Rep(s). Todd and Godsey as prime sponsor(s).

**House Bill No. 2532:** Rep(s). Hood, Eckles, Turner (Hamilton), Williams, Goins, Maddox, J. DeBerry, L. DeBerry, Chumney, Montgomery, Walker, McDaniel, Kent, Cole (Carter), Bowers, Langster and U. Jones as prime sponsor(s).

**House Bill No. 3082:** Rep(s). Langster as prime sponsor(s).

**House Bill No. 3105:** Rep(s). McCord as prime sponsor(s).

**House Bill No. 3171:** Rep(s). Langster as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR**

**April 10, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 876, 958, 1444, 2037, 2350, 2353, 2799, 2817, 2848, 2897, 2983, 2988, 3251, 3298, 3300, 3303, also, House Joint Resolution(s) No(s). 411, 524, 525, 526, 527, 528, 529, 530, 531, 533, 534, 535, 536, 537, 538, 542, 543, 544, 545, 546, 547, 548, 549, 550, 552, 554, 555, 556, 557, 559, 560, 561, 562 and 564; with his approval.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE GOVERNOR**

**April 10, 2000**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3289 and 3294, without his signature.

MICHELLE LONG, Counsel to the Governor.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 746 and 747; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 746** -- Memorials, Retirement - Chancellor Joe B. Wyatt. by \*Henry.

**Senate Joint Resolution No. 747** -- Memorials, Recognition - Mt. Nebo Baptist Church, Nashville, Tennessee. by \*Harper.

MESSAGE FROM THE SENATE

April 10, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 721, 723, 724, 725 and 726; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Joint Resolution No. 721** -- Memorials, Personal Occasion - Bart and Odessa Woolum, 50th wedding anniversary. by \*Davis L.

**Senate Joint Resolution No. 723** -- Memorials, Death - Patsy Meadows Williams. by \*Rochelle.

**Senate Joint Resolution No. 724** -- Memorials, Academic Achievement - Jonathon Winnett, Valedictorian, Trousdale High School. by \*Rochelle.

**Senate Joint Resolution No. 725** -- Memorials, Academic Achievement - Laurie Lynn Murray, Salutatorian, Trousdale High School. by \*Rochelle

**Senate Joint Resolution No. 726** -- Memorials, Recognition - The Wataugans. by \*Crowe.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 591** -- Highway Signs - "Andy Shoun Memorial Bridge," spanning Dugger Branch on S.R. 91, Carter County. by \*Cole (Carter).

House Finance, Ways and Means Committee

**\*House Joint Resolution No. 593** -- Highway Signs - "Earl Graham Bridge," Hinkle Branch, Carter Co. by \*Cole (Carter).

House Finance, Ways and Means Committee

**\*House Joint Resolution No. 595** -- Memorials, Congress - Urges full federal funding for Ricky Ray Hemophilia Relief Fund for HIV victims. by \*Jones, S., \*Odum, \*Caldwell, \*Pruitt, \*Langster, \*Black, \*Hassell, \*Arriola, \*Briley, \*Givens.

House Finance, Ways and Means Committee

## **MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**\*House Joint Resolution No. 596** -- General Assembly, Statement of Intent or Position - Urges child care centers to elect or appoint board of directors or similar body to provide leadership and guidance on policy matters to director and staff members of such centers. by \*Cooper B, \*Turner (Shelby), \*Brooks, \*Brown, \*Towns, \*Bowers, \*Miller L, \*Chumney, \*Pruitt.

House Health and Human Resources Committee

**\*House Joint Resolution No. 597** -- General Assembly, Directed Studies - Directs department of education to study feasibility of establishing a division of dropout prevention, to manage all dropout prevention matters as governed by policies, guidelines, rules, regulations, and federal and state statutes. by \*Cooper B, \*Turner (Shelby), \*Brooks, \*Brown, \*Towns, \*Bowers, \*Miller L, \*Pruitt.

House Education Committee

### **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 12, 2000:

**House Resolution No. 192** -- Memorials, Academic Achievement - Chestine S. Washington, Valedictorian, East High School. by \*Brooks.

**House Resolution No. 193** -- Memorials, Academic Achievement - Raymond D. Pulliam, Valedictorian, Melrose High School. by \*Brooks.

**House Joint Resolution No. 599** -- Memorials, Professional Achievement - Barbara McCamey, "Teacher of the Year," Hamblen County. by \*Ford S.

**House Joint Resolution No. 600** -- Memorials, Death - Jay D. Baumgardner, golf legend. by \*Mumpower, \*Godsey, \*Davis (Washington).

**House Joint Resolution No. 601** -- Memorials, Personal Achievement - Amanda Greene, Miss Food City 500. by \*Mumpower.

**House Joint Resolution No. 602** -- Memorials, Retirement - Dr. Lewis Edward Moore, Columbia State Community College. by \*Sands.

**House Joint Resolution No. 603** -- Naming and Designating - Tennessee State Employee Week, May 14-20, 2000. by \*Hargrove.

**House Joint Resolution No. 604** -- Naming and Designating - Stroke Awareness Month, May 2000. by \*Hargrove.



**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 12, 2000:

**Senate Joint Resolution No. 721** -- Memorials, Personal Occasion - Bart and Odessa Woolum, 50th wedding anniversary. by \*Davis L.

**Senate Joint Resolution No. 723** -- Memorials, Death - Patsy Meadows Williams. by \*Rochelle.

**Senate Joint Resolution No. 724** -- Memorials, Academic Achievement - Jonathon Winnett, Valedictorian, Trousdale High School. by \*Rochelle.

**Senate Joint Resolution No. 725** -- Memorials, Academic Achievement - Laurie Lynn Murray, Salutatorian, Trousdale High School. by \*Rochelle.

**INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**House Bill No. 3313** -- Rutherford County - Subject to local approval, authorizes county commission to allow public building authority to plan, design, locate, and construct new buildings or additions, including new schools; requires board of education to establish total ad valorem property tax needed to fund its budget with understanding that county commission has final authority to establish and set such tax. Amends Chapter 454 of the Private Acts of 1967. by \*Hood, \*Eckles, \*Beavers.

**House Bill No. 3314** -- Loudon County - Subject to local approval, authorizes levy of privilege tax of \$2.50 on each motor vehicle bought and sold by motor vehicle dealer at automobile auction. by \*Gunnels.

**DELAYED BILLS REFERRED**

Pursuant to **Rule No. 77**, having been prefiled for introduction, House Bill(s) No(s). 3316, was/were referred to the Delayed Bills Committee.

**\*House Bill No. 3316** -- General Assembly, Statement of Intent or Position - Authorizes observance and dissemination of Ten Commandments. Amends TCA. by \*Windle.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**\*Senate Bill No. 2635** -- Pest Control - Requires persons issuing termite clearance letters to have license from board of pest control operators; requires wood infestation reports to list presence or absence of wood destroying pests and any damage they may have caused; makes person who falsifies a wood inspection report liable for damages that were present at time of report. Amends TCA Title 62, Chapter 21. by \*Henry. (HB2460 by \*Odom)

**\*Senate Bill No. 2932** -- Employees, Employers - Requires employers with more than five employees providing goods or services to local or state government to have drug-free workplace. Amends TCA Title 50. by \*Womack. (HB2578 by \*Briley)

**Senate Bill No. 3081** -- Traffic Safety - Deletes requirement that law enforcement officer witness separate violation of law to issue citation or warrant for arrest for violations of seat belt law; deletes citation only limitation for violations of seat belt law. Amends TCA Title 55, Chapter 9, Part 6. by \*Haun, \*Cohen, \*Kurita. (\*HB3009 by \*Newton, \*Robinson)

**Senate Bill No. 3123** -- Holidays and Days of Special Observance - Changes dates of "Tennessee P.O.W.-M.I.A. Recognition Week" from "week of September 18-24" to "week beginning third Friday in September extending through the following Thursday." Amends TCA Title 15, Chapter 2. by \*Crowe, \*Womack, \*Kyle, \*Harper. (\*HB3050 by \*Givens)

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 3312** -- Knox County -- Local Bill Held on House Desk

**CONSENT CALENDAR**

**\*House Bill No. 3082** -- Insurance, Health, Accident - Permits ten or more employers of same trade or professional association who meet certain requirements to enter into agreement to pool liabilities to qualify as self-insurers; authorizes commissioner of commerce and insurance to promulgate necessary rules and regulations. Amends TCA Title 56, Chapter 26. by \*Rhinehart, \*Head, \*Cole (Dyer), \*Cole (Carter), \*McKee, \*Phelan, \*Curtiss, \*Turner (Hamilton), \*Hassell, \*Gunnels, \*Kent, \*Scroggs, \*Sands, \*Briley, \*Jones U (Shelby), \*McMillan, \*Towns, \*Buck, \*Turner (Shelby), \*Jones, S., \*Buttry, \*Lewis, \*Arriola, \*Ferguson, \*Pruitt. (SB3158 by \*Rochelle, \*Cooper, \*Elsea, \*Carter, \*Crutchfield, \*Henry, \*Graves, \*Burchett, \*Burks, \*Atchley, \*Haynes, \*Ford J, \*Williams, \*Springer)

**House Bill No. 3171** -- Insurance, Health, Accident - Permit retirees and their dependents to elect to be in supplemental medical insurance program or in applicable group insurance program as supplemental medical insurance program to Medicare. Amends TCA Title 8, Chapter 27, Part 7. by \*Rhinehart, \*Jones, S.. (\*SB2731 by \*Rochelle)

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**\*House Bill No. 2713** -- County Government - Provides that county conservation board may not be created in any county in which county legislative body has elected to operate and maintain its parks and recreation facilities pursuant to one of the alternatives set forth in TCA 11-24-103. Amends TCA Title 11, Chapter 24 and Title 11, Chapter 21. by \*Walley. (SB3251 by \*Wilder)

**\*House Joint Resolution No. 492** -- Memorials, Government Officials - Urges Tennessee historical commission to document stone walls in this state and propose measures that might be used to preserve them. by \*West.

**\*House Bill No. 3050** -- Holidays and Days of Special Observance - Changes dates of "Tennessee P.O.W.-M.I.A. Recognition Week" from "week of September 18-24" to "week beginning third Friday in September extending through the following Thursday." Amends TCA Title 15, Chapter 2. by \*Givens. (SB3123 by \*Crowe, \*Womack, \*Kyle, \*Harper)

**House Bill No. 3099** -- Intergovernmental Relations - Authorizes commission on intergovernmental relations to contract with agency or entity of state or local government or higher education for performance of certain infrastructure needs inventories. Amends TCA Section 4-10-109 and Section 67-9-102. by \*Rinks. (\*SB3052 by \*Rochelle)

**\*House Bill No. 3028** -- Insurance, Health, Accident - Abolishes required termination of extended state insurance coverage for surviving spouse of state employee killed in performance of duty when such surviving spouse becomes eligible for new insurance coverage through remarriage or employment. Amends TCA 8-27-208. by \*Kent. (SB3100 by \*Atchley)

**House Bill No. 2986** -- Hospitals and Health Care Facilities - Exempts hospitals with 300 or more licensed beds from certificate of need requirement for linear accelerator where hospital ceases to provide such services at another location within same metropolitan statistical area Amends TCA Section 68-11-106. by \*Arriola, \*Ferguson, \*Odom. (\*SB3002 by \*Cooper)

**House Bill No. 2511** -- Criminal Offenses - Creates Class A misdemeanor offense of viewing someone when they have reasonable expectation of privacy if viewing would offend reasonable victim and was done for purpose of sexual gratification of defendant. Amends TCA Title 39, Chapter 13, Part 6. by \*Westmoreland. (\*SB2369 by \*Ramsey)

**\*House Bill No. 2873** -- Trademarks and Trade Names - Enacts "Tennessee Trade Mark Act of 2000." Amends TCA Title 47, Chapter 25, Part 5. by \*Churnney. (SB3021 by \*Kyle, \*Dixon)

**\*House Bill No. 2124** -- Election Laws - Repeals appeal to supreme court of chancellor's decision in contest involving election results. - Repeals TCA Section 2-17-116. by \*Buck. (SB2897 by \*Person)

**\*House Bill No. 3216** -- Tennessee Bureau of Investigation - Specifies that special workers' compensation fraud investigation unit of TBI shall investigate referred cases of workers' compensation fraud. Amends TCA Section 38-6-102. by \*Turner (Hamilton). (SB3249 by \*Haynes)

**\*House Joint Resolution No. 519** -- Naming and Designating - "Sequatchie Valley Veteran's Memorial Armory," Dunlap. by \*Rhinehart.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 2959** -- Education, Higher - Requires all public institutions of higher education to specifically enumerate receipt and use of all non-appropriated funds received by such institutions. Amends TCA Section 49-7-210; Section 49-8-203 and Section 49-9-208. by \*DeBerry L. (\*SB2705 by \*Cooper)

**House Bill No. 2063** -- Sunset Laws - State election commission, June 30, 2008. Amends TCA Title 2, Chapter 11, and Title 4, Chapter 29. by \*Kernell, \*Garrett, \*Brooks. (\*SB2017 by \*Springer)

**House Bill No. 2076** -- Sunset Laws - Southern interstate nuclear compact, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 202. by \*Kernell, \*Garrett, \*Brooks. (\*SB2022 by \*Springer, \*Dixon)

**House Bill No. 2424** -- Sunset Laws - Chickasaw basin authority, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 64, Chapter 1. by \*Kernell, \*Garrett, \*Brooks. (\*SB2105 by \*Springer)

**House Bill No. 2077** -- Sunset Laws - Interstate earthquake compact of 1988, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks. (\*SB2013 by \*Springer, \*Dixon)

**\*House Bill No. 2221** -- Sunset Laws - Prevailing wage commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 4. by \*Kernell. (SB2606 by \*Springer)

**House Bill No. 2423** -- Sunset Laws - Board of boiler rules, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 122. by \*Kernell, \*Garrett, \*Brooks. (\*SB2104 by \*Springer)

**\*House Bill No. 2256** -- Courts - Requires civil actions and appeals from general sessions court judgments and administrative rulings filed in court that lacks jurisdiction over matter to be timely transferred to court in which matter could have been filed, provided such transfer is in interest of justice. Amends TCA Title 16, Chapter 1, Part 1. by \*Windle. (SB2445 by \*Davis L)

**House Joint Resolution No. 539** -- Naming and Designating - "Fisk University, Class of 1975 Day", May 6, 2000. by \*Turner (Shelby), \*Churnney, \*DeBerry J, \*Jones U (Shelby), \*Miller L.

**House Bill No. 2212** -- Criminal Offenses - Revises penalty for passing stopped school bus from Class B to Class A misdemeanor, punishable by fine only of not less than \$250 nor more than \$1,000. Amends TCA Section 55-8-151. by \*McDonald, \*Hood, \*Patton, \*Bone, \*Williams (Williamson), \*Head, \*Davidson, \*Newton, \*Maddox, \*Fitzhugh. (\*SB2135 by \*Graves)

**\*House Bill No. 2960** -- Local Education Agency - Allows LEAs to transfer surplus real or personal property to the county or to municipalities within county without competitive bidding or sale. Amends TCA Title 49, Chapter 6, Part 20. by \*Jackson, \*Buck. (SB3069 by \*Springer)

**House Bill No. 3305** -- Anderson County - Subject to local approval, repeals requirement that county tax assessor issue building permits. - Repeals Chapter 357 of the Private Acts of 1959. by \*Caldwell. (SB3290 by \*McNally)

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 3306** -- Maury City - Subject to local approval, increases term of office for the mayor and aldermen; creates staggered terms; changes election date to coincide with the general election date. Amends Chapter 107 of the Private Acts of 1986. by \*Cole (Dyer).

**House Bill No. 3308** -- Pulaski - Subject to local approval, authorizes qualified voters and residents of Giles County who own property in the city to vote in municipal elections except for issuance of bonds. Amends Chapter 711 of the Private Acts of 1949. by \*Fowlkes. (SB3287 by \*Cooper)

**House Bill No. 3309** -- Liberty - Subject to local approval, changes term of office of mayor and board of aldermen from two years to four years; allows board of aldermen to make payment of up to \$45.00 to aldermen for attendance at monthly board meetings. Amends Chapter 796 of the Private Acts of 1947; as amended. by \*Buck. (SB3296 by \*Burks)

**House Bill No. 3310** -- Hohenwald - Subject to local approval, rewrites charter provisions for non-resident voting qualifications, purchasing and bidding requirements and residency requirements for certain department heads. Amends Chapter 308 of the Private Acts of 1923; as amended. by \*White. (SB3292 by \*Springer)

**House Resolution No. 187** -- Memorials, Death - Judge Joe Freytag. by \*Windle.

**House Resolution No. 188** -- Memorials, Heroism - Marcus Burger. by \*Bunch.

**House Joint Resolution No. 587** -- Memorials, Academic Achievement - Robin Letise Fernandez, Horatio Alger Scholar. by \*Hargett.

**House Joint Resolution No. 588** -- Memorials, Recognition - Alltrista Company 30th Anniversary. by \*Mumpower.

**House Joint Resolution No. 590** -- Memorials, Professional Achievement - Charlie Nagatani, 45 years in country music. by \*McDaniel.

**House Joint Resolution No. 592** -- Memorials, Professional Achievement - Jay Graham, Cocke County Soil Conservation District's "Conservation Farmer of the Year". by \*Davis (Cocke).

**House Joint Resolution No. 594** -- Memorials, Death - Judge Howard Bailey. by \*Walley, \*McDaniel.

**\*Senate Joint Resolution No. 708** -- Memorials, Public Service - Tennessee affiliates of Habitat for Humanity International, Federal Home Loan Bank, THDA and Union Planters Bank for special initiative, "House the General Assembly Built"; expresses support for such initiative and urges participation of legislators. by \*Herron, \*Atchley, \*Crutchfield, \*Dixon, \*Elsea, \*Graves.

**Senate Joint Resolution No. 709** -- Memorials, Death - Raymond Bryant. by \*Herron.

**Senate Joint Resolution No. 711** -- Memorials, Sports - Lin Dunn. by \*Herron.

**Senate Joint Resolution No. 712** -- Memorials, Death - Helen Wilburn. by \*Rochelle.

## **MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**Senate Joint Resolution No. 713** -- Memorials, Academic Achievement - Lindsay Michelle Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 714** -- Memorials, Academic Achievement - Dana Rowland, Salutatorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 715** -- Memorials, Academic Achievement - Larissa Ann Nesbitt, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 716** -- Memorials, Academic Achievement - Ethan Van Underwood, Smith County High School Salutatorian. by \*Rochelle.

**Senate Joint Resolution No. 717** -- Memorials, Professional Achievement - Nita Jones, Elementary Counselor of the Year. by \*Herron.

**Senate Joint Resolution No. 718** -- Memorials, Retirement - Mike Biggs, Mayor of Greenfield. by \*Herron.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion was immediately withdrawn.

### **SPECIAL ORDER**

Rep. L. DeBerry requested that the Consent Calendar be placed at the heel of the Regular Calendar, which motion prevailed.

### **REGULAR CALENDAR**

**House Bill No. 1264** -- Education - Requires school superintendents convicted of felonies to be removed from office. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1267 by \*Springer)

Further consideration of House Bill No. 1264 previously considered on May 26, 1999, February 2, 2000, March 8, 2000 and March 9, 2000, at which time it was reset for today's Calendar.

Rep. Winningham moved that House Bill No. 1264 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 1242** -- Education - Authorizes local boards of education to maintain records of proceedings of board in electronic format. Amends TCA Section 49-2-301. by \*Winningham, \*Boyer. (\*SB1322 by \*Williams)

Further consideration of House Bill No. 1242 previously considered on May 26, 1999, February 2, 2000, March 8, 2000 and March 9, 2000, at which time it was reset for today's Calendar.

Rep. Windle moved that House Bill(s) No(s). 1242 be reset for the Regular Calendar on May 8, 2000, which motion prevailed.

**House Bill No. 2655** -- Sentencing - Clarifies that after sentencing of criminal defendant, the uniform judgment document is public record; enacts "Criminal Sentence Explanation Act of 2000." Amends TCA Title 40, Chapter 35, Part 2. by \*McMillan. (\*SB2363 by \*Kyle, \*Graves)

Further consideration of House Bill No. 2655 previously considered on April 3, 2000, at which time it was reset for today's Calendar.

Without objection, House Bill No. 2655 was moved to the heel of the Calendar.

**\*House Bill No. 3143** -- Equalization Board - Deletes prohibition for state legislative or executive officials or state employees to serve on county board of equalization; limits eligibility of state employees to those whose employment does not involve property tax assessments. Amends TCA Section 67-1-401. by \*Tindell, \*Jones U (Shelby). (SB3205 by \*Dixon)

Further consideration of House Bill No. 3143 previously considered on March 23, 2000, March 27, 2000 and April 3, 2000, at which time it was reset for today's Calendar.

Rep. Tindell moved that House Bill No. 3143 be passed on third and final consideration.

Rep. U. Jones requested that State and Local Government Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. Tindell moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 3143 By deleting Section 1 and substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-1-401, is amended by adding the following sentence at the end of subsection (c):

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

Notwithstanding other provisions of this subsection, except in counties having a population of more than eighty-five thousand (85,000) but less than eighty-six thousand (86,000) according to the 1990 federal census or any subsequent federal census, state employees may be appointed to the county board of equalization if their employment responsibilities do not include property assessments.

On motion, Amendment No. 2 was adopted.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Tindell moved that **House Bill No. 3143**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes .....	0
Present and not voting .....	2

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Jones U., Miller -- 2.

A motion to reconsider was tabled.

**House Bill No. 2532** -- Courts, Juvenile - Creates "Tennessee Teen Court Program of 2000." Amends TCA Title 37, Chapter 1. by \*Fowlkes. (\*SB2340 by \*Graves)

Rep. Fowlkes moved that House Bill No. 2532 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2532 by adding an additional clause to the preamble, immediately after the last "and" and preceding the last whereas clause, as follows:

WHEREAS, The Tennessee Council of Juvenile and Family Court Judges has endorsed the concept of a teen court; and



AND FURTHER AMEND BY deleting the word and number "nineteen (19)" in the last whereas clause of the preamble, and by substituting instead the word and number "forty-five (45)"

AND FURTHER AMEND BY deleting subitem 37-1-702(b)(2) in Section 1 of the bill and by substituting instead the following:

(2) When a juvenile court determines that a case is appropriate to be handled by the teen court, the teen shall be informed by the court of the procedures for teen court disposition and shall be given an opportunity to enter a waiver of rights to participate in a teen court disposition. The court shall inform the teen that if the teen enters a waiver, including a waiver of any right for an attorney to be present during the dispositional stage, a teen court may be empanelled to hear evidence on disposition; it shall deliberate; and shall make a recommendation to the judge for disposition of the case which may be confirmed by the juvenile court without further proceedings. If the teen elects to not enter a waiver, the judge shall proceed with the case as provided by law without referral to the teen court.

AND FURTHER AMEND BY deleting the words "any right" after the words "waiver of" and before the words "to have" and by substituting instead the language "rights, including any right" in Section 37-1-702(c)(3) in section 1 of the bill.

AND FURTHER AMEND BY adding the words "attempt to" after the words "The judge shall" and before the words "choose teens" in the fifth sentence of Section 37-1-702(f)(1) in section 1 of the bill.

AND FURTHER AMEND BY deleting the word "shall" and by substituting instead the word "may" after the language "a teen court," and before the words "hold juvenile court" in the first sentence of Section 37-1-702(h) in section 1 of the bill.

AND FURTHER AMEND BY adding the following as new subsections to Section 37-1-702 in Section 1 of the bill:

(i) Each participant in teen court proceedings shall have the same immunity provided by law for judicial proceedings.

(j) All records used in, or otherwise related to, teen court proceedings shall be confidential to the full extent provided by current law, except as necessary to permit functioning of the teen court. Nothing contained in this section shall, in any manner, alter the confidentiality of records or proceedings under current juvenile court law.

AND FURTHER AMEND BY deleting from subsection (b)(2) of Section 37-1-702 of the amendatory language of SECTION 1 the citation "§ 37-1-130" and substituting instead the citation "§ 37-1-131".

AND FURTHER AMEND BY deleting from subsection (e)(1)(A) of Section 37-1-702 of the amendatory language of SECTION 1 the citation "§ 71-1-102(20)" and substituting instead the citation "§ 37-1-102(20)".

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Fowlkes moved that **House Bill No. 2532**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes .....	1
Present and not voting .....	3

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Robinson -- 1.

Representatives present and not voting were: Brooks, Cooper, Towns -- 3.

A motion to reconsider was tabled.

**\*House Bill No. 3017** -- Insurance Companies, Agents, Brokers, Policies - Authorizes commissioner of commerce and insurance to regulate and control HMOs; establishes registration and other requirements for HMOs and holding companies. Amends Title 56 of the TCA. by \*Kisber. (SB3090 by \*McNally)

Rep. Kisber moved that House Bill No. 3017 be reset for the Regular Calendar on April 13, 2000, which motion prevailed.

**House Bill No. 3072** -- Public Health and Health Care - Authorizes patients of HMO with life threatening condition to begin independent review process without completing internal appeals procedure; revises fee to begin independent review process from \$50.00 to \$15.00; makes fee refundable if patient prevails in independent review process. Amends TCA Section 56-32-227. by \*Kisber. (\*SB3039 by \*Rochelle)

Rep. Kisber moved that House Bill No. 3072 be reset for the Regular Calendar on May 1, 2000, which motion prevailed.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**\*House Bill No. 2166** -- Landlord and Tenant - Decreases late fee, from 10 percent to 5 percent of overdue rent, landlords subject to Uniform Residential and Landlord Tenant Act can charge. Amends TCA Title 66, Chapter 28, Part 2. by \*Miller L. (SB2355 by \*Ford J)

On motion, House Bill No. 2166 was made to conform with **Senate Bill No. 2355**; the Senate Bill was substituted for the House Bill.

Rep. Miller moved that Senate Bill No. 2355 be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

Rep. Miller moved that **Senate Bill No. 2355** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**House Bill No. 2867** -- Equalization Board - Changes criteria for two members appointed by governor to board of equalization and requires that such members not be affiliated with any local, state or federal government. Amends TCA Title 4. by \*Miller L. (\*SB2459 by \*Ford J)

Rep. Miller moved that House Bill No. 2867 be reset for the Regular Calendar on April 17, 2000, which motion prevailed.

**House Bill No. 3252** -- Public Officials - Authorizes municipal, county and state officers and officials to receive payment of taxes, licenses, fines, fees and other moneys by credit card and charge processing fee not exceeding 5 percent of amount charged. Amends TCA Section 9-1-108. by \*Miller L., \*Bowers, \*DeBerry L., \*Tindell. (\*SB2429 by \*Dixon, \*Atchley)

Rep. Miller moved that House Bill No. 3252 be passed on third and final consideration.

Rep. U. Jones requested that State and Local Government Committee Amendment No. 1 be placed at the heel of the Amendments.

Rep. Miller moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 3252 by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 9-1-108, is amended by adding the following language as a new, appropriately designated subsection:

( ) (1) It is lawful for any municipal or county entity or officer to receive payment by credit card or debit card for any public taxes, licenses, fines fees or other moneys collected by such municipal or county entity or officer.

(2) As used in this subsection, unless the context otherwise requires:

(A) "Credit card" has the same meaning as defined in § 47-22-101.

(B) "Debit card" has the same meaning as defined in § 39-14-102(3).

(3) Any municipal or county entity or officer collecting payment by credit card or debit card pursuant to the provisions of this subsection shall set and collect a processing fee in an amount that is equal to the amount paid the third party processor for processing the payment. However, the processing fee shall not be set in an amount that exceeds five percent (5%) of the amount of the payment collected by credit card or debit card.

(4) If a payment by credit card is not honored by the credit card company issuing the card, or if a payment by a debit card is not honored by the entity on which the funds are drawn, the municipal or county governmental entity or officer may collect a service charge from the person who owes the municipal or county tax, fee, fine, penalty, interest or other charge, for processing the transaction. The amount of the service charge shall be the same amount as the fee charged for the collection of a check drawn on an account with insufficient funds. Provided, however, this service charge shall not apply nor be collected if an electronic device is used to conduct the transaction, the card and card holder are present, and the officer learns of the declination of the credit card or debit card at the time of the transaction is processed.

(6) Processing fees or service charges collected under this subsection by municipal entities or officers shall be deposited into the general fund of the municipal entity.

(7) The municipal or county entity or officer collecting funds through payment by a credit card or debit card shall state on any notice to the person owing the taxes, fine, fee or other money either the percentage of the processing fee for use of a credit card or debit card or the actual fee imposed for the use of a credit card or debit card.

(8) In no event shall the use of the credit card or debit card result in the municipal or county official collecting less than is otherwise required or permitted by law for the payment of the taxes, licenses, fees fines or other moneys due and payable.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 2 was adopted.

On motion, Rep. U. Jones withdrew State and Local Government Committee Amendment No. 1.

Rep. Miller moved that **House Bill No. 3252**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	2
Present and not voting .....	1

Representatives voting aye were: Armstrong, Arriola, Baird, Bittle, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Beavers, DeBerry L. -- 2.

Representatives present and not voting were: Black -- 1.

A motion to reconsider was tabled.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 3090** -- Dentists - Revises scope of practice for dentistry to include evaluation and treatment of maxillofacial area and associated structures; authorizes oral and maxillofacial surgeons to perform soft tissue facial cosmetic surgery incidental to dental treatment. Amends TCA Title 63, Chapter 5. by \*Walley. (\*SB2854 by \*Kyle)

Rep. Walley moved that House Bill No. 3090 be reset for the Regular Calendar on May 4, 2000, which motion prevailed.

**House Bill No. 2685** -- Domestic Violence - Requires court issuing order of protection to immediately have copy delivered to local law enforcement agencies; requires local law enforcement agencies to immediately enter any order received in the Tennessee crime information system regardless of whether it has yet been served. Amends TCA Title 36, Chapter 3, Part 6. by \*Garrett. (\*SB2935 by \*Haynes)

Rep. Garrett moved that House Bill No. 2685 be reset for the Regular Calendar on April 13, 2000, which motion prevailed.

**House Bill No. 2226** -- Transportation, Dept. of - Increases from two weeks to 20 days time in which notice for bids must be published prior to date set for receiving bids. Amends TCA Title 3; Title 4; Title 8; Title 54; Title 55; Title 65 and Title 67. by \*Buck, \*Head. (\*SB2265 by \*Springer)

Rep. Buck moved that House Bill No. 2226 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2226 By deleting all of the language after the enacting clause of the printed bill and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 5, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 54-5-145. On or before February 1, 2001, the comptroller of the treasury shall conduct a performance audit of the department of transportation's policies, procedures and directives as to the acquisition of right-of-way for state highways. Such audit shall include a representative sample of acquisitions made directly by the state and acquisitions made by private contractors on behalf of the state. Such audit shall include a representative sample of acquisitions made voluntarily by donation or by purchase and acquisitions through condemnation by eminent domain. The comptroller is urged to review any specific allegations of fraud or misrepresentations reported or discovered during the performance of this audit. The comptroller of the treasury shall report its findings and recommendations to the transportation committee of the senate and to the transportation committee of the house of representatives.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Transportation Committee Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 2226**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	98
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

**\*House Bill No. 3105** -- Motor Vehicles, Titling and Registration - Prohibits reissuance of cultural, specialty earmarked, or new specialty earmarked license plate, that has failed to meet minimum issuance or renewal requirements and has been deemed obsolete and invalid, for period of three years. Amends TCA Title 55, Chapter 4. by \*White. (SB3216 by \*Cohen)

On motion, House Bill No. 3105 was made to conform with **Senate Bill No. 3216**; the Senate Bill was substituted for the House Bill.

Rep. White moved that **Senate Bill No. 3216** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes .....	9
Present and not voting .....	2

Representatives voting aye were: Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Buck, Bunch, Buttry, Chumney, Cole (Carter), Cole (Dyer), Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 86.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

Representatives voting no were: Armstrong, Arriola, Brown, Caldwell, Cooper, Ferguson, Kerr, Miller, Towns -- 9.

Representatives present and not voting were: Brooks, Jones U. -- 2.

A motion to reconsider was tabled.

**House Bill No. 2964** -- Boats, Boating - Authorizes wildlife resources commission to establish required boating education program and to create rules and fees for such program. Amends TCA Section 69-10-209. by \*Jackson, \*Buck. (\*SB2134 by \*Hau)

**BILL RE-REFERRED**

Rep. Jackson moved that House Bill No. 2964 be re-referred the House Finance, Ways and Means Committee, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2581** -- Attorneys at Law - Awards prevailing plaintiff attorney fees and costs in action against insurance company for bad faith failure to pay. Amends TCA Section 56-7-105. by \*Briley. (\*SB2198 by \*Cohen)

Rep. Briley moved that House Bill No. 2581 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2581 by deleting Section 1 of the printed bill in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-7-105(a), is amended by inserting the words "including attorney fees" after the words and punctuation "additional expenses, loss or injury" wherever such words appear.

On motion, Commerce Committee Amendment No. 1 was adopted.

Rep. Briley moved that **House Bill No. 2581**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0
Present and not voting .....	1



**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Patton -- 1.

A motion to reconsider was tabled.

**\*House Bill No. 2387** -- Highway Signs - Prohibits stacking of two or more billboard displays, or more than one horizontal display in excess of square footage limitations of present law, after 7/1/00. Amends TCA Title 54, Chapter 21. by \*Eckles, \*McAfee. (SB2479 by \*Haynes)

Further consideration of House Bill No. 2387 previously considered on April 6, 2000, at which time it was reset for today's Calendar.

Rep. Eckles moved that House Bill No. 2387 be reset for the Regular Calendar on May 4, 2000, which motion prevailed.

**House Bill No. 2655** -- Sentencing - Clarifies that after sentencing of criminal defendant, the uniform judgment document is public record; enacts "Criminal Sentence Explanation Act of 2000." Amends TCA Title 40, Chapter 35, Part 2. by \*McMillan. (\*SB2363 by \*Kyle, \*Graves)

Further consideration of House Bill No. 2655 previously considered on today's Calendar.

Rep. McMillan moved that House Bill No. 2655 be reset for the Regular Calendar on April 13, 2000, which motion prevailed.

CONSENT CALENDAR

**\*House Bill No. 3082** -- Insurance, Health, Accident - Permits ten or more employers of same trade or professional association who meet certain requirements to enter into agreement to pool liabilities to qualify as self-insurers; authorizes commissioner of commerce and insurance to promulgate necessary rules and regulations. Amends TCA Title 56, Chapter 26. by \*Rhinehart, \*Head, \*Cole (Dyer), \*Cole (Carter), \*McKee, \*Phelan, \*Curtiss, \*Turner (Hamilton), \*Hassell, \*Gunnels, \*Kent, \*Scroggs, \*Sands, \*Briley, \*Jones U (Shelby), \*McMillan, \*Towns, \*Buck, \*Turner (Shelby), \*Jones, S., \*Buttry, \*Lewis, \*Arriola, \*Ferguson, \*Pruitt. (SB3158 by \*Rochelle, \*Cooper, \*Elsa, \*Carter, \*Crutchfield, \*Henry, \*Graves, \*Burchett, \*Burs, \*Atchley, \*Haynes, \*Ford J, \*Williams, \*Springer)

**House Bill No. 3171** -- Insurance, Health, Accident - Permit retirees and their dependents to elect to be in supplemental medical insurance program or in applicable group insurance program as supplemental medical insurance program to Medicare. Amends TCA Title 8, Chapter 27, Part 7. by \*Rhinehart, \*Jones, S.. (\*SB2731 by \*Rochelle)

**\*House Bill No. 2713** -- County Government - Provides that county conservation board may not be created in any county in which county legislative body has elected to operate and maintain its parks and recreation facilities pursuant to one of the alternatives set forth in TCA 11-24-103. Amends TCA Title 11, Chapter 24 and Title 11, Chapter 21. by \*Walley. (SB3251 by \*Wilder)

**\*House Joint Resolution No. 492** -- Memorials, Government Officials - Urges Tennessee historical commission to document stone walls in this state and propose measures that might be used to preserve them. by \*West.

**\*House Bill No. 3050** -- Holidays and Days of Special Observance - Changes dates of "Tennessee P.O.W.-M.I.A. Recognition Week" from "week of September 18-24" to "week beginning third Friday in September extending through the following Thursday." Amends TCA Title 15, Chapter 2. by \*Givens. (SB3123 by \*Crowe, \*Womack, \*Kyle, \*Harper)

On motion, House Bill No. 3050 was made to conform with **Senate Bill No. 3123**; the Senate Bill was substituted for the House Bill.

**House Bill No. 3099** -- Intergovernmental Relations - Authorizes commission on intergovernmental relations to contract with agency or entity of state or local government or higher education for performance of certain infrastructure needs inventories. Amends TCA Section 4-10-109 and Section 67-9-102. by \*Rinks. (\*SB3052 by \*Rochelle)

On motion, House Bill No. 3099 was made to conform with **Senate Bill No. 3052**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 3028** -- Insurance, Health, Accident - Abolishes required termination of extended state insurance coverage for surviving spouse of state employee killed in performance of duty when such surviving spouse becomes eligible for new insurance coverage through remarriage or employment. Amends TCA 8-27-208. by \*Kent. (SB3100 by \*Atchley)

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 2986** -- Hospitals and Health Care Facilities - Exempts hospitals with 300 or more licensed beds from certificate of need requirement for linear accelerator where hospital ceases to provide such services at another location within same metropolitan statistical area Amends TCA Section 68-11-106. by \*Arriola, \*Ferguson, \*Odom. (\*SB3002 by \*Cooper)

**House Bill No. 2511** -- Criminal Offenses - Creates Class A misdemeanor offense of viewing someone when they have reasonable expectation of privacy if viewing would offend reasonable victim and was done for purpose of sexual gratification of defendant. Amends TCA Title 39, Chapter 13, Part 6. by \*Westmoreland. (\*SB2369 by \*Ramsey)

On motion, House Bill No. 2511 was made to conform with **Senate Bill No. 2369**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2873** -- Trademarks and Trade Names - Enacts "Tennessee Trade Mark Act of 2000." Amends TCA Title 47, Chapter 25, Part 5. by \*Chumney. (SB3021 by \*Kyle, \*Dixon)

On motion, House Bill No. 2873 was made to conform with **Senate Bill No. 3021**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2124** -- Election Laws - Repeals appeal to supreme court of chancellor's decision in contest involving election results. - Repeals TCA Section 2-17-116. by \*Buck. (SB2897 by \*Person)

**\*House Bill No. 3216** -- Tennessee Bureau of Investigation - Specifies that special workers' compensation fraud investigation unit of TBI shall investigate referred cases of workers' compensation fraud. Amends TCA Section 38-6-102. by \*Turner (Hamilton). (SB3249 by \*Haynes)

**\*House Joint Resolution No. 519** -- Naming and Designating - "Sequatchie Valley Veteran's Memorial Armory." Dunlap. by \*Rhinehart.

**House Bill No. 2959** -- Education, Higher - Requires all public institutions of higher education to specifically enumerate receipt and use of all non-appropriated funds received by such institutions. Amends TCA Section 49-7-210; Section 49-8-203 and Section 49-9-208. by \*DeBerry L. (\*SB2705 by \*Cooper)

**House Bill No. 2063** -- Sunset Laws - State election commission, June 30, 2008. Amends TCA Title 2, Chapter 11, and Title 4, Chapter 29. by \*Kernell, \*Garrett, \*Brooks. (\*SB2017 by \*Springer)

On motion, House Bill No. 2063 was made to conform with **Senate Bill No. 2017**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2076** -- Sunset Laws - Southern interstate nuclear compact, June 30, 2006. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 202. by \*Kernell, \*Garrett, \*Brooks. (\*SB2022 by \*Springer, \*Dixon)

On motion, House Bill No. 2076 was made to conform with **Senate Bill No. 2022**; the Senate Bill was substituted for the House Bill.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 2424** -- Sunset Laws - Chickasaw basin authority, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 64, Chapter 1. by \*Kernell, \*Garrett, \*Brooks. (\*SB2105 by \*Springer)

On motion, House Bill No. 2424 was made to conform with **Senate Bill No. 2105**; the Senate Bill was substituted for the House Bill.

**House Bill No. 2077** -- Sunset Laws - Interstate earthquake compact of 1988, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 58, Chapter 2. by \*Kernell, \*Garrett, \*Brooks. (\*SB2013 by \*Springer, \*Dixon)

On motion, House Bill No. 2077 was made to conform with **Senate Bill No. 2013**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2221** -- Sunset Laws - Prevailing wage commission, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 4. by \*Kernell. (SB2606 by \*Springer)

**House Bill No. 2423** -- Sunset Laws - Board of boiler rules, June 30, 2008. Amends TCA Title 4, Chapter 29, and Title 68, Chapter 122. by \*Kernell, \*Garrett, \*Brooks. (\*SB2104 by \*Springer)

**\*House Bill No. 2256** -- Courts - Requires civil actions and appeals from general sessions court judgments and administrative rulings filed in court that lacks jurisdiction over matter to be timely transferred to court in which matter could have been filed, provided such transfer is in interest of justice. Amends TCA Title 16, Chapter 1, Part 1. by \*Windle. (SB2445 by \*Davis L)

**House Joint Resolution No. 539** -- Naming and Designating - "Fisk University, Class of 1975 Day", May 6, 2000. by \*Turner (Shelby), \*Chumney, \*DeBerry J, \*Jones U (Shelby), \*Miller L.

**House Bill No. 2212** -- Criminal Offenses - Revises penalty for passing stopped school bus from Class B to Class A misdemeanor, punishable by fine only of not less than \$250 nor more than \$1,000. Amends TCA Section 55-8-151. by \*McDonald, \*Hood, \*Patton, \*Bone, \*Williams (Williamson), \*Head, \*Davidson, \*Newton, \*Maddox, \*Fitzhugh. (\*SB2135 by \*Graves)

On motion, House Bill No. 2212 was made to conform with **Senate Bill No. 2135**; the Senate Bill was substituted for the House Bill.

**\*House Bill No. 2960** -- Local Education Agency - Allows LEAs to transfer surplus real or personal property to the county or to municipalities within county without competitive bidding or sale. Amends TCA Title 49, Chapter 6, Part 20. by \*Jackson, \*Buck. (SB3069 by \*Springer)

**House Bill No. 3305** -- Anderson County - Subject to local approval, repeals requirement that county tax assessor issue building permits. - Repeals Chapter 357 of the Private Acts of 1959. by \*Caldwell. (SB3290 by \*McNally)

**House Bill No. 3306** -- Maury City - Subject to local approval, increases term of office for the mayor and aldermen; creates staggered terms; changes election date to coincide with the general election date. Amends Chapter 107 of the Private Acts of 1986. by \*Cole (Dyer).

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**House Bill No. 3308** -- Pulaski - Subject to local approval, authorizes qualified voters and residents of Giles County who own property in the city to vote in municipal elections except for issuance of bonds. Amends Chapter 711 of the Private Acts of 1949. by \*Fowlkes. (SB3287 by \*Cooper)

**House Bill No. 3309** -- Liberty - Subject to local approval, changes term of office of mayor and board of aldermen from two years to four years; allows board of aldermen to make payment of up \$45.00 to aldermen for attendance at monthly board meetings. Amends Chapter 796 of the Private Acts of 1947; as amended. by \*Buck. (SB3296 by \*Burks)

**House Bill No. 3310** -- Hohenwald - Subject to local approval, rewrites charter provisions for non-resident voting qualifications, purchasing and bidding requirements and residency requirements for certain department heads. Amends Chapter 308 of the Private Acts of 1923; as amended. by \*White. (SB3292 by \*Springer)

**House Resolution No. 187** -- Memorials, Death - Judge Joe Freytag. by \*Windle.

**House Resolution No. 188** -- Memorials, Heroism - Marcus Burger. by \*Bunch.

**House Joint Resolution No. 587** -- Memorials, Academic Achievement - Robin Letise Fernandez, Horatio Alger Scholar. by \*Hargett.

**House Joint Resolution No. 588** -- Memorials, Recognition - Alltrista Company 30th Anniversary. by \*Mumpower.

**House Joint Resolution No. 590** -- Memorials, Professional Achievement - Charlie Nagatani, 45 years in country music. by \*McDaniel.

**House Joint Resolution No. 592** -- Memorials, Professional Achievement - Jay Graham, Cocke County Soil Conservation District's "Conservation Farmer of the Year". by \*Davis (Cocke).

**House Joint Resolution No. 594** -- Memorials, Death - Judge Howard Bailey. by \*Walley, \*McDaniel.

**\*Senate Joint Resolution No. 708** -- Memorials, Public Service - Tennessee affiliates of Habitat for Humanity International, Federal Home Loan Bank, THDA and Union Planters Bank for special initiative, "House the General Assembly Built"; expresses support for such initiative and urges participation of legislators. by \*Herron, \*Atchley, \*Crutchfield, \*Dixon, \*Elsea, \*Graves.

**Senate Joint Resolution No. 709** -- Memorials, Death - Raymond Bryant. by \*Herron.

**Senate Joint Resolution No. 711** -- Memorials, Sports - Lin Dunn. by \*Herron.

**Senate Joint Resolution No. 712** -- Memorials, Death - Helen Wilburn. by \*Rochelle.

**Senate Joint Resolution No. 713** -- Memorials, Academic Achievement - Lindsay Michelle Watson, Valedictorian, Gordonsville High School. by \*Rochelle.

**MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY**

**Senate Joint Resolution No. 714** -- Memorials, Academic Achievement - Dana Rowland, Salutatorian, Gordonsville High School. by \*Rochelle.

**Senate Joint Resolution No. 715** -- Memorials, Academic Achievement - Larissa Ann Nesbitt, Valedictorian, Smith County High School. by \*Rochelle.

**Senate Joint Resolution No. 716** -- Memorials, Academic Achievement - Ethan Van Underwood, Smith County High School Salutatorian. by \*Rochelle.

**Senate Joint Resolution No. 717** -- Memorials, Professional Achievement - Nita Jones, Elementary Counselor of the Year. by \*Herron.

**Senate Joint Resolution No. 718** -- Memorials, Retirement - Mike Biggs, Mayor of Greenfield. by \*Herron.

Rep. L. DeBerry moved that all members voting aye on Senate Joint Resolution No. 708 be added as sponsors, which motion prevailed.

**OBJECTION -- CONSENT CALENDAR**

Objection(s) was/were filed to the following on the Consent Calendar:

**House Bill No. 3082:** by Rep(s). Odom and Bowers

**House Bill No. 3171:** by Rep. Odom

**House Bill No. 2713:** by Rep. Kernell

**House Bill No. 3028:** by Rep. Odom

**House Bill No. 3308:** by Rep. Bowers

**House Bill No. 3310:** by Rep. Bowers

Under the rules, House Bill(s) No(s). 3082, 3171, 2713, 3028, 3308 and 3310 was/were placed at the foot of the calendar for April 12, 2000.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

## MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

### MESSAGE CALENDAR

#### HOUSE ACTION ON SENATE MESSAGE

**\*House Joint Resolution No. 2** -- Constitutional Amendments - Empowers general assembly to authorize state lottery for state purposes only and no other purpose; net proceeds to be allocated solely to scholarship fund established and implemented by general assembly for tuition costs for Tennessee residents at Tennessee post-secondary institutions. by \*Newton, \*Williams (Williamson), \*Kernell, \*Towns.

Rep. Newton moved that House Joint Resolution No. 2 be reset for the Message Calendar on April 12, 2000, which motion prevailed.

#### HOUSE ACTION ON SENATE AMENDMENTS

**\*House Joint Resolution No. 87** -- General Assembly, Studies - Continues special joint committee to study electric utility industry deregulation. by \*Kisber.

#### Senate Amendment No. 1

AMEND House Joint Resolution No. 87 by deleting the following language:

"BE IT FURTHER RESOLVED, That the membership of the committee as constituted in Section 13(c) of Chapter 531 of 1997 and as augmented by action of the speakers of the Senate and the House of Representatives pursuant to Chapter 836 of the Public Acts of 1998 shall remain as it presently exists, with five (5) members of the House of Representatives appointed by the Speaker of the House and five (5) members of the Senate, appointed by the Speaker of the Senate."

and substituting instead the following language:

"BE IT FURTHER RESOLVED, That the membership of the committee as constituted in Section 13(c) of Chapter 531 of 1997 and as augmented by action of the speakers of the Senate and the House of Representatives pursuant to Chapter 836 of the Public Acts of 1998 shall now consist of seven (7) members of the House of Representatives appointed by the Speaker of the House with two (2) such members being from the House State and Local Government Committee and seven (7) members of the Senate, appointed by the Speaker of the Senate with two (2) such members being from the Senate State and Local Government Committee."

**Senate Amendment No. 2**

AMEND House Joint Resolution No. 87 By adding the language ", including water levels in TVA controlled lakes" at the end of the fifth resolving clause between the language "issues which may arise" and the period.

**Senate Amendment No. 3**

AMEND House Joint Resolution No. 87 By deleting the language of the seventh resolving clause in its entirety and substituting instead the following:

BE IT FURTHER RESOLVED, That the special committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One Hundred Second General Assembly no later than February 28, 2002, at which time the committee shall cease to exist.

Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 1, 2 and 3 to **House Joint Resolution No. 87**, which motion prevailed by the following vote:

Ayes.....	95
Noes .....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.



HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 283** — Private Investigators - Requires private investigators to complete 12 hours of continuing professional education each two-year licensing period instead of six hours each year. Amends TCA Section 62-26-225. by \*McDaniel, \*Tindell, \*Armstrong, \*Hagood, \*Boyer, \*Buttry, \*Bittle. (SB412 by \*Cooper)

**Senate Amendment No. 1**

AMEND House Bill No. 283 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 62-26-204, is amended by adding the following language as a new subsection (e):

(e)(1) A private investigator may retire the license issued in accordance with this part by making such request in writing and paying the appropriate fees set by the commission. The written request must be accompanied by the license certificate and pocket card. The retiree shall be responsible for notifying the commission of any change in address. Only licenses that are current and in good standing with the commission may be retired. No retired licensee may engage in any act defined in § 62-26-202.

(2) A retired license shall not be reactivated unless the licensee shows proof of completion of continuing education requirements as provided in §62-26-225 sufficient to meet a licensee's current requirements. Upon receipt of proof of such requirements and payment of appropriate fees set by the commission, a retired license shall automatically be changed from retired to active.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. McDaniel moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 283**, which motion prevailed by the following vote:

Ayes..... 97  
Noes ..... 0

## MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

**Senate Bill No. 1882** -- Education - Requires student to be enrolled in school under name that appears on certificate of birth and to use that throughout school career. Amends TCA Title 49, Chapter 6, Part 51. by \*Davis L. (\*HB1840 by \*Ferguson, \*Turner (Hamilton))

### CONFERENCE COMMITTEE APPOINTED ON SENATE BILL NO. 1882

Pursuant to **Rule No. 73**, Representative Ferguson moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on Senate Bill No. 1882, which motion prevailed.

The Speaker appointed Representatives Ferguson, Davidson and Bunch as the House members of the Conference Committee on Senate Bill No. 1882.

### UNFINISHED BUSINESS

#### BILLS WITHDRAWN

On motion of Rep. Boyer, **House Bill No. 3312** was withdrawn from the House.

### RULES SUSPENDED

Rep. Pruitt moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 747 out of order, which motion prevailed.

**Senate Joint Resolution No. 747** -- Memorials, Recognition - Mt. Nebo Baptist Church, Nashville, Tennessee. by \*Harper.

On motion of Rep. Pruitt, the resolution was concurred in.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Harwell moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 746 out of order, which motion prevailed.

**Senate Joint Resolution No. 746** -- Memorials, Retirement - Chancellor Joe B. Wyatt, by \*Henry.

On motion of Rep. Harwell, the resolution was concurred in.

A motion to reconsider was tabled.

**BILLS WITHDRAWN**

On motion of Rep. Turner (Hamilton), **House Bill No. 2673** was recalled from the State and Local Government Committee and withdrawn from the House.

**RULES SUSPENDED**

On motion of Rep. Hargrove, the rules were suspended to allow all House Bills coming out of the Calendar and Rules Committee on Tuesday, April 11, 2000 to be properly placed on the House Consent and/or Regular Calendars on Wednesday, April 12, 2000.

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Bill No. 96:** Rep(s). Walley as first prime sponsor(s).

**House Bill No. 2670:** Rep(s). Bunch as prime sponsor(s).

**MESSAGE FROM THE SENATE**  
**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1960; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2293; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3227; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2610; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1370; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2116; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2846; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**April 10, 2000**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 3252.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2254, as requested.

RUSSELL HUMPHREY, Acting Chief Clerk.

**ENGROSSED BILLS**

**April 10, 2000**

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2124, 2221, 2226, 2256, 2423, 2532, 2581, 2959, 2960, 2986, 3143, 3216, 3305, 3306, 3309, also, House Joint Resolution(s) No(s) 492, 519, 539, 587, 588, 590, 592 and 594.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 438, 570, 571, 572, 573, 574, 577, 578 and 580; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**MESSAGE FROM THE SENATE**

**April 10, 2000**

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 581, 1293, 2064, 2093, 2381 and 3089; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

**Senate Bill No. 581** -- Bad Checks - Increases from \$10.00 to \$15.00 handling charges to be paid for writing bad checks. Amends TCA Title 40. by \*Springer. (\*HB128 by \*Odom)

**Senate Bill No. 1293** -- Contractors - Authorizes board of contractors to use line of credit for purposes of determining financial condition of applicant. Amends TCA Title 62, Chapter 6. by \*Davis L. (\*HB964 by \*Head)

## MONDAY, APRIL 10, 2000 — SEVENTIETH LEGISLATIVE DAY

**\*Senate Bill No. 2064** -- Private Investigators - Exempts persons or companies who provide investigative services exclusively to and under supervision of attorneys from licensing requirements for private investigators and investigation companies. Amends TCA Section 62-26-223. by \*Henry. (HB2112 by \*Buck, \*McMillan)

**\*Senate Bill No. 2093** -- Sunset Laws - Panel on health care facility penalties, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by \*Springer. (HB2428 by \*Kernell, \*Garrett, \*Brooks)

**\*Senate Bill No. 2381** -- Workers' Compensation - Changes date for triggering operation of direct assignment plan or of the competitive fund from 7/1/00 to 7/1/01; changes date for advisory council's report on assigned risk plan from 1/15/00 to 1/1/01. Amends TCA Title 38, Chapter 6; Title 50, Chapter 6; Title 50, Chapter 9; Title 50, Chapter 3; Title 56, Chapter 5 and Title 56, Chapter 47. by \*Clabough. (HB2320 by \*Kisber)

**Senate Bill No. 3089** -- Insurance Companies, Agents, Brokers, Policies - Enacts "The Life Settlements Act." Amends TCA Title 48, Chapter 2, Part 1, and Title 56. by \*Dixon. (\*HB3016 by \*Bowers)

### CONSENT CALENDAR

April 10, 2000

The following local bills have been placed on the Consent Calendar for **April 13, 2000**: House Bill(s) No(s). 3295 and 3297.

### ROLL CALL

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

### RECESS MOTION

On motion of Rep. Hargrove, the House stood in recess until 2:00 p.m., Wednesday, April 12, 2000.